

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 281

SENATE BILL 1307

AN ACT

AMENDING TITLE 36, CHAPTER 23, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2;
RELATING TO THE TREATMENT OF HUMAN EMBRYOS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 23, Arizona Revised Statutes, is amended
3 by adding article 2, to read:

4 ARTICLE 2. TREATMENT OF EMBRYOS

5 36-2311. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "DESTRUCTIVE HUMAN EMBRYONIC STEM CELL RESEARCH" MEANS ANY RESEARCH
8 THAT INVOLVES THE DISAGGREGATION OF ANY HUMAN EMBRYO FOR THE PURPOSE OF
9 CREATING HUMAN PLURIPOTENT STEM CELLS OR HUMAN PLURIPOTENT STEM CELL LINES.

10 2. "HUMAN-ANIMAL HYBRID" MEANS ANY OF THE FOLLOWING:

11 (a) A HUMAN EMBRYO INTO WHICH A NONHUMAN CELL OR CELLS, OR ANY
12 COMPONENT PART OF A NONHUMAN CELL OR CELLS, HAVE BEEN INTRODUCED.

13 (b) A HYBRID HUMAN-ANIMAL EMBRYO PRODUCED BY FERTILIZING A HUMAN EGG
14 WITH A NONHUMAN SPERM.

15 (c) A HYBRID HUMAN-ANIMAL EMBRYO PRODUCED BY FERTILIZING A NONHUMAN
16 EGG WITH HUMAN SPERM.

17 (d) AN EMBRYO PRODUCED BY INTRODUCING A NONHUMAN NUCLEUS INTO A HUMAN
18 EGG.

19 (e) AN EMBRYO PRODUCED BY INTRODUCING A HUMAN NUCLEUS INTO A NONHUMAN
20 EGG.

21 (f) AN EMBRYO CONTAINING AT LEAST HAPLOID SETS OF CHROMOSOMES FROM
22 BOTH A HUMAN AND A NONHUMAN LIFE FORM.

23 (g) A NONHUMAN LIFE FORM ENGINEERED SO THAT HUMAN GAMETES DEVELOP
24 WITHIN THE BODY OF A NONHUMAN LIFE FORM.

25 (h) A NONHUMAN LIFE FORM ENGINEERED SO THAT IT CONTAINS A HUMAN BRAIN
26 OR A BRAIN DERIVED WHOLLY OR PREDOMINANTLY FROM HUMAN NEURAL TISSUES.

27 3. "HUMAN EMBRYO" MEANS A LIVING ORGANISM OF THE SPECIES HOMO SAPIENS
28 THROUGH THE FIRST FIFTY-SIX DAYS OF ITS DEVELOPMENT, EXCLUDING ANY TIME
29 DURING WHICH ITS DEVELOPMENT HAS BEEN SUSPENDED.

30 4. "IN VITRO" MEANS OUTSIDE THE HUMAN BODY.

31 5. "PURCHASE OR SELL" INCLUDES AN EXCHANGE OF CASH, AN IN-KIND PAYMENT
32 OR ANY OTHER VALUABLE FINANCIAL OR NONFINANCIAL CONSIDERATION. "PURCHASE OR
33 SELL" DOES NOT INCLUDE PAYMENT OF COSTS RELATED TO DONATION OF A HUMAN EMBRYO
34 FOR THE PURPOSE OF IMPLANTATION IN THE BODY OF A WOMAN.

35 36-2312. Production of human embryo or human-animal hybrid;
36 purchase or sale; prohibitions; violation;
37 classification; exemptions

38 A. A PERSON SHALL NOT INTENTIONALLY OR KNOWINGLY CREATE OR ATTEMPT TO
39 CREATE AN IN VITRO HUMAN EMBRYO BY ANY MEANS OTHER THAN FERTILIZATION THROUGH
40 THE COMBINING OF A HUMAN EGG WITH A HUMAN SPERM.

41 B. A PERSON SHALL NOT INTENTIONALLY OR KNOWINGLY:

42 1. CREATE OR ATTEMPT TO CREATE A HUMAN-ANIMAL HYBRID.

43 2. TRANSFER OR ATTEMPT TO TRANSFER A HUMAN EMBRYO INTO A NONHUMAN
44 WOMB.

- 1 3. TRANSFER OR ATTEMPT TO TRANSFER A NONHUMAN EMBRYO INTO A HUMAN
2 WOMB.
- 3 4. TRANSPORT OR RECEIVE FOR ANY PURPOSE A HUMAN-ANIMAL HYBRID.
- 4 C. A PERSON SHALL NOT PURCHASE OR SELL OR OFFER TO PURCHASE OR SELL AN
5 IN VITRO HUMAN EMBRYO AND SHALL NOT ADVERTISE FOR THE PURCHASE OR SALE OF AN
6 IN VITRO HUMAN EMBRYO. THIS SUBSECTION DOES NOT PROHIBIT PAYMENT TO A
7 PHYSICIAN BY A PATIENT OR ON A PATIENT'S BEHALF FOR OTHERWISE LAWFUL SERVICES
8 TO TREAT INFERTILITY.
- 9 D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1
10 MISDEMEANOR.
- 11 E. THIS SECTION DOES NOT PROHIBIT EITHER OF THE FOLLOWING IF THE
12 ACTIVITY DOES NOT VIOLATE SUBSECTION B OR MEET THE DEFINITION OF HUMAN-ANIMAL
13 HYBRID:
- 14 1. RESEARCH INVOLVING THE USE OF TRANSGENIC ANIMAL MODELS CONTAINING
15 HUMAN GENES.
- 16 2. XENOTRANSPLANTATION OF HUMAN ORGANS, TISSUES OR CELLS INTO
17 RECIPIENT ANIMALS OTHER THAN ANIMAL EMBRYOS.
- 18 36-2313. Destructive human embryonic stem cell research;
19 violation; classification
- 20 A. A PERSON SHALL NOT INTENTIONALLY OR KNOWINGLY ENGAGE IN DESTRUCTIVE
21 HUMAN EMBRYONIC STEM CELL RESEARCH.
- 22 B. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 6 FELONY.

~~APPROVED BY THE GOVERNOR MAY 7, 2010.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2010.~~